



HOUSE OF REPRESENTATIVES

HB 2591

civil traffic violations; alternative service

Prime Sponsor: Representative Ugenti-Rita, LD 23

DP Committee on Government and Higher Education

DP Caucus and COW

X As Transmitted to the Governor

OVERVIEW

HB 2591 stipulates that a person's driving privileges are not suspended or revoked as a result of a citation served by an alternate service of process.

PROVISIONS

1. Removes substitute service of process for photo enforcement violations.
2. Prohibits suspension or revocation of a person's driving privileges as a result of a citation served by an alternative service of process.

CURRENT LAW

A person who receives a notice of violation in the mail or municipal ordinance for excess speed or failure to obey a traffic control device obtained using a [photo enforcement system](#) does not have to do either of the following: 1) identify who is in the photo; or 2) respond to the notice of violation. The notice must state the following: 1) the notice is not a court issued document and the recipient is under no obligation to identify the person or respond to the notice; and 2) failure to respond may result in official service resulting in an additional fee being levied. In addition to other means authorized by the [Arizona Rules of Civil Procedures](#), alternative or substitute service of process must be sent by certified mail with an additional copy by regular mail and a notice posted on the front door of the business or residence and, if present and accessible, a residence garage door. Service of the complaint is complete on filing the mailing receipt and proof of posting in the court having jurisdiction of the violation ([A.R.S. § 28-1602](#)).

On notification that a person failed to appear as directed for a scheduled court appearance after service of the complaint alleging a violation the Arizona Department of Transportation is required to suspend the person's driver license or nonresident operating privilege until the person appears, the fine or civil penalty is paid or a bond is forfeited ([A.R.S. § 28-3308](#)).